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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/820,731

04/09/2004

Sheng-Hsuan Liao

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ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

KIRK, LAMEKA J

ART UNIT

PAPER NUMBER

2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/820,731	Applicant(s) LIAO ET AL.	
	Examiner Lameka J. Kirk	Art Unit 2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected:
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

1. **Claims 1-13** are objected to because of the following: this claim appears to be a system claim, however may be confusing because of the usage of the word "structure".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-5 and 11-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Papageorge (US Patent Application Publication US 2004/01140989 A1).

Regarding **claim 1**, Papageorge discloses a structure for a newsletter subscription system (abstract) of a multimedia messaging service (paragraph 78, lines 1-11), comprising:

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a subscription portal for displaying a list of available electronic newsletters (paragraph 52, lines 4-6; paragraph 62, lines 9-12);

a multimedia information content provider (paragraph 11, lines 2-4) for storing content of the electronic newsletters and accepting subscriptions;

a push portal for obtaining the content of the electronic newsletters and a list of subscribers according to delivery time and sending the electronic newsletters according to the list of subscribers (paragraph 22, lines 4-6);

a common service platform (figure 1, 102, 104; paragraph 26, lines 5-7) for receiving data from the push portal; and

a multimedia messaging service center (client/station) for receiving data from the common service platform and sending the content of the electronic newsletters to the subscriber's mobile phone (paragraph 25, lines 1-6).

Regarding **claim 2**, Papageorge discloses everything claimed as applied above (see claim 1). In addition, Papageorge discloses that the subscription portal allows subscribers to use wireless application protocol (WAP) via a mobile phone, to enter, and then to proceed with subscribing (paragraph 27, lines 4-6).

Regarding **claim 3**, Papageorge discloses everything claimed as applied above (see claim 1). In addition, Papageorge discloses that the subscription portal allows subscribers to use world wide web via a computer to enter, and then to proceed with subscribing (paragraph 29, lines 4-6).

Regarding **claim 4**, Papageorge discloses everything claimed as applied above (see claim 1). In addition, Papageorge discloses that before the subscriber enters the

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subscription portal, the subscriber needs to log in through an authorization server (paragraph 24, lines 30-33).

Regarding **claim 5**, Papageorge discloses everything claimed as applied above (see claim 4). In addition, Papageorge discloses that once the subscriber has completed log in and finished subscribing, the content provider sends data regarding the electronic newsletters selected by the subscriber to the common service platform so that when the subscriber finishes logging in, the subscription portal requests the common service platform to transmit details regarding previously subscribed newsletters and the details are displayed on the subscription portal unit (paragraph 62, lines 9-16).

Regarding **claim 11**, Papageorge discloses everything claimed as applied above (see claim 1). In addition, Papageorge discloses that the content of the electronic newsletters on the content provider is compressed (paragraph 28, lines 14-19).

Regarding **claim 12**, Papageorge discloses everything claimed as applied above (see claim 11). In addition, Papageorge discloses that the compressed content is in ZIP file format (paragraph 28, lines 14-19).

Regarding **claim 13**, Papageorge discloses everything claimed as applied above (see claim 1). In addition, Papageorge discloses that the content provider is located remotely (paragraph 11, lines 1-4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 6 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Papageorge (Patent Application Publication US 2004/0140989 A1) in view of Skog (Patent Application Publication US 2001/0012779 A1).

Regarding **claim 6**, Papageorge discloses everything claimed as applied above (see claim 1). However, Papageorge fails to specifically disclose the subscriber being allowed to use unstructured supplementary service data (USSD) to subscribe to services through a mobile phone. Also, Papageorge fails to teach that the subscriber would be provided with an electronic code according to chosen subscription.

Skog discloses that the subscription portal allows subscribers to use unstructured supplementary service data protocol (USSD) via mobile phones to enter, and then to subscribe to electronic newsletters (paragraph 30, lines 6-8);

whereby, an electronic newsletter code is displayed on the subscription portal in order for the subscriber to subscribe to an electronic newsletter (paragraph 37, lines 1-4); and

whereby, once the subscription is completed the subscription portal transmits the selected electronic newsletters (paragraph 37, lines 4-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made modify Papageorge's invention to allow subscribers to use unstructured supplementary service data (USSD) as claimed, and taught by Skog, because is fast and provides a high capacity for data.

Regarding **claim 7**, Papageorge discloses everything claimed as applied above (see claim 6). However, Papageorge fails to specifically disclose the subscription information being sent to common service platform (router) and displayed upon entry of subscription portal.

Skog discloses that after completing the subscription, the subscription portal sends the electronic newsletters data to the common service platform so that when the subscriber enters the subscription portal a next time, the subscription portal requests the common service platform to provide previous subscriber data and display the data on the subscription portal (paragraph 30, lines 13-17).

Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to modify Papageorge's invention as to display previous subscriptions on subscription portal because this feature would prevent subscribers from subscribing to the same service multiple times.

6. **Claims 8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Papageorge (Patent Application Publication US 2004/0140989) in view of Salmi (US Patent Number 6,947,396).

Regarding **claim 8**, Papageorge discloses everything claimed as applied above (see claim 1). However, Papageorge fails to disclose the push portal (server) having one transmission channel and only transmitting to one subscriber at a time.

Salmi discloses the push portal only has one setting as a transmission channel to transmit the content of the electronic newsletters and each transmission channel only transmits to one subscriber (column 7, lines 46-49).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Papageorge's push portal (server) to have one transmission channel and only sending to one subscriber because this would result in less collision and more efficient service provided by service providers.

Regarding **claim 9**, Papageorge discloses everything claimed as applied above (see claim 1). However, Papageorge fails to disclose the communication between the common service platform (router) and the push portal (server).

Salmi discloses that after the common service platform receives the data from the push portal, the common service platform sends a reply back to the push portal (column 7, lines 55-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Papageroge's invention as to the common service platform to send notification to the push portal because this would provide confirmation of information received and subscriber with receipt of service.

Regarding **claim 10**, Papageorge discloses everything claimed as applied above (see claim 1). However, Papageorge fails to disclose the multimedia messaging service center (client/station) communicating with common service platform (router).

Salmi discloses that the multimedia messaging service center sends a reply back to the common service platform after receiving data from the common service platform (column 7, lines 1-4).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lameka J. Kirk whose telephone number is 571-270-1662. The examiner can normally be reached on Monday-Friday 7:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on 571-272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LK 1/23/2007


ELISEO RAMOS-FELICIANO
SUPERVISORY PATENT EXAMINER